

In the  
Legislature



of the State  
of Washington

# DIGEST SUPPLEMENT

To Legislative Digest and History of Bills  
**Supplement No. 58\***

FIFTY-SEVENTH LEGISLATURE

Wednesday, April 11, 2001

94th Day - 2001 Regular

## SENATE

SB 5047  
SB 6140-S  
SB 6172-S

## HOUSE

HB 1845  
HB 2236  
HB 2237  
HB 2238  
HB 2239  
HB 2240

## LIST OF BILLS IN DIGEST SUPPLEMENTS

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### HOUSE

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\*To be discarded upon receipt of Edition No. 1 of the Legislative Digest and History of Bills

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### House Bills

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**HB 1845** by Representatives Sehlin and H. Sommers; by request of Department of Natural Resources

Increasing the fee for a surface mining reclamation permit.

(AS OF HOUSE 2ND READING 4/09/01)

Increases the fee for a surface mining reclamation permit from six hundred fifty to one thousand dollars.

Provides that, within sixty days after receipt of a permit application, the department shall advise applicants of any information necessary to successfully complete the application.

Requires, by January 1, 2003, the department of natural resources to report to the appropriate policy and fiscal committees of the legislature regarding program deliverables and uses of the new fee revenue.

**-- 2001 REGULAR SESSION --**

Feb 6	First reading, referred to Appropriations.
Mar 7	APP - Executive action taken by committee. APP - Majority; do pass. Minority; without recommendation.
Mar 9	Passed to Rules Committee for second reading.
Mar 13	Placed on second reading by Rules Committee.
Mar 14	Referred to Rules 2 Review.
Apr 4	Placed on second reading by Rules Committee.
Apr 9	Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 87; nays, 7; absent, 4.

**HB 2236** by Representatives Sehlin and H. Sommers

Modifying the process through which economic assumptions, contribution rates, and valuation methodologies are established for the public pension systems.

Revises the process through which economic assumptions, contribution rates, and valuation methodologies are established for the public pension systems.

**-- 2001 REGULAR SESSION --**

Apr 9 First reading, referred to Appropriations.

**HB 2237** by Representatives H. Sommers and Sehlin

Modifying the essential academic learning requirements assessment schedule.

Revises the essential academic learning requirements assessment schedule.

**-- 2001 REGULAR SESSION --**

Apr 9 First reading, referred to Appropriations.

**HB 2238** by Representative Conway

Requiring coverage for newborn hearing screening tests.

Requires health insurance coverage for newborn hearing screening tests.

**-- 2001 REGULAR SESSION --**

Apr 9 First reading, referred to Appropriations.  
First reading, referred to Health Care.

**HB 2239** by Representatives Fisher, Cooper and Rockefeller

Authorizing creation of regional congestion relief districts.

Declares a desire to empower local regions to accomplish transportation projects by enabling them to raise revenue and choose projects locally and to provide state resources to help fund certain of these projects.

Finds that many transportation decisions are best made at the regional level, where transportation problems are best understood. To achieve improved regional mobility, promote individual and economic well-being, and to implement recommendation number six of the Blue Ribbon Commission on Transportation final report, relating to regional transportation solutions, congestion relief boards are created.

Declares that it is the public policy of this state to encourage and facilitate transportation improvements, including making optimum use of existing facilities. It is the purpose of congestion relief boards to select projects, oversee their implementation, generate revenues for a limited period of time, assist in the financing of transportation improvements, and improve transportation mobility in congested areas.

**-- 2001 REGULAR SESSION --**

Apr 9 First reading, referred to Transportation.

**HB 2240** by Representatives Ogden and D. Schmidt

Revising primary election law.

Declares an intent to create a primary for all elected offices, other than president and vice president, that:

(1) Allows all voters, including independents and those unaffiliated with a political party, to participate;

(2) Preserves the privacy of voters' ballot selection and party affiliation, if any;

(3) Rejects mandatory voter registration by political party;

(4) Protects ballot access for minor political parties and independent candidates;

(5) Maintains the right of any candidate to self-identify with any major political party; and

(6) Upholds a political party's First Amendment right of association.

Repeals RCW 29.18.010, 29.18.120, 29.18.150, 29.18.160, and 29.18.200.

**-- 2001 REGULAR SESSION --**

Apr 9 First reading, referred to Select Committee on Elections.

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**Senate Bills**

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**SB 5047** by Senators Long, Costa, Hargrove and Carlson; by request of Department of Corrections

Authorizing the department of corrections to detain, search, or remove persons who enter correctional facilities or institutional grounds.

(DIGEST AS PASSED LEGISLATURE)

Provides that an employee of the department who is a limited authority Washington peace officer under RCW 10.93.020 may use reasonable force to detain, search, or remove persons who enter or remain without permission within a correctional facility or institutional grounds or whenever, upon probable cause, it appears to such employee that a person has committed or is attempting to commit a crime, or possesses contraband within a correctional facility or institutional grounds.

Provides that, should any person be detained, the department shall immediately notify a local law enforcement agency having jurisdiction over the correctional facility or institutional grounds of the detainment. The department is authorized to detain the person for a reasonable time to search the person and confiscate any contraband, and until custody of the person and any illegal contraband can be transferred to a law enforcement officer when appropriate.

Provides that an employee of the department who is a limited authority Washington peace officer under RCW 10.93.020 may use that force necessary in the protection of persons and properties located within the confines of the correctional facility or institutional grounds.

**-- 2001 REGULAR SESSION --**

Jan 9 First reading, referred to Human Services & Corrections.

Jan 18 HSC - Majority; do pass.  
Passed to Rules Committee for second reading.

Feb 2 Made eligible to be placed on second reading.

Feb 20 Placed on second reading by Rules Committee.

Mar 6 Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 45; nays, 1; absent, 3.

**- IN THE HOUSE -**

Mar 8 First reading, referred to Criminal Justice & Corrections.

Mar 19 CJC - Executive action taken by committee.

CJC - Majority; do pass.

Mar 20 Passed to Rules Committee for second reading.

Apr 2 Placed on second reading by Rules Committee.

Apr 4 Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 91; nays, 0; absent, 7.

**- IN THE SENATE -**

Apr 6 President signed.

**- IN THE HOUSE -**

Speaker signed.

**- OTHER THAN LEGISLATIVE ACTION -**

Apr 9 Delivered to Governor.

**SB 6140-S** by Senate Committee on Transportation (originally sponsored by Senators McDonald, Prentice, Horn, Eide, Johnson, Finkbeiner, Patterson, Shin, Benton, Kastama, Costa, McAuliffe, Rossi, Long, Roach, Zarelli and Oke)

Authorizing creation of congestion relief districts.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the central Puget Sound congestion relief area to include the following legislative districts: 38, 21, 1, 44, 32, 46, 45, 36, 43, 48, 34, 11, 37, 41, 33, 47, 5, 30, 25, and 31.

Declares that congestion relief district planning committees are advisory entities which are created, convened, and empowered as follows: (1) A congestion relief district planning committee shall convene, from time to time and as appropriate, to create and adopt a congestion relief plan providing for the selection, development, construction, and financing of the highway improvement project or projects to be constructed. The congestion relief plan should consider transportation and land use planning. The planning committee may coordinate its activities with the department of transportation, which shall provide services, data, and personnel to assist in this planning as desired by the planning committee. In addition, the planning committee may also coordinate with such other local governments and entities that engage in transportation planning;

(2) A planning committee shall select highway improvement projects to reduce traffic congestion and will create a congestion relief plan providing for the development, construction, and financing of the highway improvement project or projects to be constructed to submit to the county legislative authorities;

(3) A congestion relief district planning committee may, as part of a congestion relief plan, recommend the imposition of some or all of the following revenue sources: (a) A regional sales and use tax of up to 0.5 percent of the selling price, in the case of a sales tax, or value of the article used, in the case of a use tax. The tax authorized pursuant to this section shall be in addition to the tax authorized by RCW 82.14.030 and shall be collected from those persons who are taxable by the state pursuant to chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the taxing district. Motor vehicles are exempt from the sales tax imposed under this section;

(b) A vehicle license fee of up to seventy-five dollars per vehicle registered in the district, except commercial vehicles as defined in RCW 46.04.140, per year on passenger cars, sport utility vehicles, motorcycles, motorhomes, pickup trucks, and trailers or trailing units. The department of licensing shall administer and collect this fee on behalf of a congestion relief district and remit this fee to the custody of the state treasurer, who shall distribute it as directed by a congestion relief district;

(c) A motor vehicle fuel tax of up to six cents per each gallon of motor vehicle fuel sold in the district as defined in RCW 82.36.010 and on each gallon of special fuel sold in the district as defined in RCW 82.38.020. This tax shall be collected in the same manner as state fuel taxes and remitted to the state treasurer, who shall distribute it as directed by a congestion relief district; and

(d) A commercial vehicle fee of up to one hundred fifty dollars per commercial vehicle registered in the district as defined in RCW 46.04.140. The department of licensing shall administer and collect this fee on behalf of a congestion relief district and remit this fee to the custody of the state treasurer, who shall distribute it as directed by a congestion relief district.

Declares that taxes shall not be imposed without an affirmative vote of the people within the boundaries of the designated area on a referendum as set forth in this act. Revenues from these taxes may be used only to support the implementation, by a congestion relief district, of a congestion relief plan to construct highway improvement projects. A congestion relief district may contract with the state department of revenue or other appropriate entities for administration and collection of any of the taxes or fees authorized in this section.

Provides that a combination of local, state, and federal revenues may be necessary to pay for highway improvement projects, and the planning committee shall consider all of these revenue sources in developing a financing and funding plan. In particular, state matching funds of up to sixty percent of the total costs as provided in this act shall be considered.

Recognizes that it may be prudent for certain congestion relief highway improvement projects to be financed over time through the issuance of bonds. By act of the legislature, the state may, pursuant to chapter 47.10 RCW, issue bonds to finance all or part of the total costs of

highway improvement projects being constructed by a congestion relief district.

Provides that there is levied and there shall be collected an additional tax on each retail sale of a motor vehicle to a resident of a congestion relief district under chapter 47.--RCW (sections 1 through 15 of this act) equal to one-half percent of the selling price. The revenue collected under this provision must be distributed to the appropriate congestion relief district: PROVIDED, That this subsection does not apply to residents outside of a congestion relief district, or residents of a congestion relief district which has not imposed a sales and use tax equal to one-half percent as provided under chapter 47.--RCW (sections 1 through 15 of this act).

#### -- 2001 REGULAR SESSION --

Apr 9 TRAN - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.  
Passed to Rules Committee for second reading.

**SB 6172-S** by Senate Committee on Transportation (originally sponsored by Senators Patterson, Horn, Haugen, Finkbeiner, Costa, McDonald, Prentice, Constantine, Kohl-Welles, Eide, McAuliffe, Fairley and Jacobsen)

Authorizing creation of regional congestion relief districts.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that: (1) The capacity of many of Washington state's transportation facilities have failed to keep up with the state's growth, particularly in major urban regions;

(2) The state cannot by itself fund, in a timely way, many of the major capacity and other improvements required on state and interstate highways in urban regions;

(3) Providing a comprehensive multimodal transportation system which provides efficient mobility choices for persons and freight requires a partnership between the state, local, and regional governments, and the private sector; and

(4) Timely construction and development of congestion relief projects can best be achieved by establishing regional congestion relief districts.

Declares that the district's plan may recommend the imposition of some or all of the following revenue sources:

(1) A regional sales and use tax as a percent of the selling price, in the case of a sales tax, or value of the article used, in the case of a use tax. The tax authorized under this section is in addition to the tax authorized by RCW 82.14.030 and must be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of a taxable event within the taxing district;

(2) A vehicle license fee of up to seventy-five dollars for each vehicle registered in the district, except commercial vehicles as defined in RCW 46.04.140, per year on motor vehicles and trailers or trailing units. The department of licensing shall administer and collect this fee on behalf of

a district and remit this fee to the custody of the county treasurer, who shall distribute it as directed by a district;

(3) A commercial vehicle fee of up to one hundred fifty dollars for each commercial vehicle as defined in RCW 46.04.140 registered in the district. The department of licensing shall administer and collect this fee on behalf of a district and remit this fee to the custody of the county treasurer, who shall distribute it as directed by a district;

(4) User fees on projects improved under this act;

(5) A charge based upon the miles traveled by a vehicle registered in the district;

(6) The county property levy provided in this act.

No taxes may be imposed without a vote of the people within the district boundaries.

Provides that, to assure accountability to the public for the timely construction of the transportation project or projects within cost projections, the district shall issue a public report every six months from the date the project begins to the date it concludes. In the report, the district shall detail the progress of the project in two areas: (1) Whether the project or projects costs-to-date are within the amount of revenue raised for the project or projects under the vote of the people as provided in section 3 of this act; and

(2) Whether the project or projects are proceeding in accordance with the original construction schedule. If the progress of the project is inconsistent with either the cost projections or timeliness, the district shall provide the public with a plan to move the project or projects back into compliance with the original construction schedule and cost projections.

Provides that a county may impose additional regular property tax levies in an amount equal to fifty cents or less per thousand dollars of the assessed value of property in the county. The tax will be imposed (1) each year for six consecutive years, (2) each year for ten consecutive years, or (3) permanently. A tax levy under this section must be specifically authorized by a majority of at least three-fifths of the registered voters voting on the proposition and the number of persons voting "yes" on the proposition must constitute three-fifths of a number equal to forty percent of the total number of voters voting in the county at the last preceding general election.

**-- 2001 REGULAR SESSION --**

Apr 9      TRAN - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

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## LIST OF BILLS IN DIGEST SUPPLEMENTS CONT.

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### SENATE

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### HOUSE